

reconciliation protections to avoid such restrictions. While the intent of the legislation may be worthwhile, I object to legislation being pushed through in this manner. The fast-track reconciliation procedures that were enacted in the Congressional Budget Act of 1974 were never intended to be used as a method to enact massive tax cuts that could not be passed without a thorough debate and amendment process. I know, because I helped to write the Congressional Budget Act of 1974, and it was never my contemplation that the reconciliation process would be used in this way and for these purposes—never! I would not have supported it. I would have voted against it.

In fact, I would have left some loopholes in the process that would have saved us from this spectacle every year, where tax legislation with wide-ranging ramifications on domestic and defense spending priorities that should be debated at great length and amended many times is rushed through this Chamber in order to fulfill a political party's agenda. Reconciliation has become a bear trap that cuts off senators from debate and ensures that legislation will be voted upon regardless of whether there has been ample debate. Reconciliation typically allows for only twenty hours of debate, equally divided between the two leaders, which can be yielded back by the leaders under a nondebateable motion. This year, the reconciliation bill will be voted upon after only two hours and twenty-two minutes of debate. Less than two and one-half hours on a measure that would cost \$248 billion over ten years. We owe the American people the assurance that their representatives are enacting legislation that will substantively address the marriage penalty problem in the most cost-efficient method possible.

I spoke in April on marriage penalty relief and the majority party's insistence on pushing this particular legislation through the Senate. While I supported marriage penalty relief then, I still opposed cloture to end debate on the underlying bill to allow senators to offer amendments, debate those amendments, and then vote on those amendments. Incidentally, this legislation was withdrawn from the floor after the minority party insisted on these rights, which is why this marriage penalty relief bill is now being considered in this fashion, under reconciliation protection. I made remarks in April on the marriage penalty relief bill, and made reference to James Madison's ideas on popular government, and the irony of how pushing through marriage penalty relief based on the notion that it is politically popular represented Madison's most profound worries about the character of republican politics. A fear of impulsive and dangerous influence that runaway public opinion could exert over legislation lay at the core of his thinking in 1787 and 1788. Indeed, Madison searched

for the proper mechanics for the safe expression of public opinion to prevent popular majorities from pursuing their purposes through means that wore away the bonds that might otherwise restrain them. I think it is also fair to say that Madison would have opposed legislating in this fashion, and the enactment of tax legislation under reconciliation instructions because it removes the bonds that ordinarily would prevent the majority party from pushing through legislation which happens to be the hot political issue of the moment. The Senate will learn one day the detrimental cost of legislating in this fashion.

Nonetheless, as I have said before, I will support both marriage penalty relief proposals in order to eliminate what can only be described as an unintended and unfair consequence of the income tax code. However, I do so with a certain degree of reluctance out of concern that my support would, in any way, be considered an endorsement of this style of legislating or that it would indicate my willingness to forsake fiscal responsibility relating to Social Security and Medicare in order to finance massive tax cuts.

Mr. ROTH. Mr. President, I ask unanimous consent that votes occur in relation to the following amendments in the following sequence, beginning immediately after the adoption of the Interior appropriations bill, with 2 minutes prior to each vote for explanation: Burns No. 3872, Hollings No. 3875, Lott No. 3881, final passage.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I further ask unanimous consent that following passage, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, with those conferees being ROTH, LOTT, and MOYNIHAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Therefore, there will be no further votes, as already has been announced, this evening. Up to 11 votes will occur in a stacked sequence beginning at 9:45 a.m. on Tuesday.

#### ORDER OF PROCEDURE

Mr. ROTH. Mr. President, I ask unanimous consent that the Senate now turn to the Interior appropriations bill and I be recognized to call up the managers' package of amendments which is at the desk, the amendments be reported and agreed to, the motions to reconsider be laid upon the table, and the Senate then turn to H.R. 4516, the legislative appropriations bill, for Senator BOXER to offer her amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—Continued

AMENDMENTS NOS. 3778; 3779, AS MODIFIED; 3784, AS MODIFIED; 3786, AS MODIFIED; 3787, AS MODIFIED; 3788; 3789; 3891; 3892; 3893; 3894; 3895; 3896; 3897; 3898; 3899; 3900; 3901; 3902; 3903; 3904; 3905; 3906; 3907; AND 3908

The amendments, en bloc, were agreed to as follows:

##### AMENDMENT NO. 3778

(Purpose: To designate funds for the United Sioux Tribes of South Dakota Development Corporation for the purpose of employment assistance)

On page 138, line 1, insert “; and of which not to exceed \$108,000 shall be for payment to the United Sioux Tribes of South Dakota Development Corporation for the purpose of providing employment assistance to Indian clients of the Corporation, including employment counseling, follow-up services, housing services, community services, day care services, and subsistence to help Indian clients become fully employed members of society” before the colon.

##### AMENDMENT NO. 3779 AS MODIFIED

On page 168, line 13, insert the following before the colon: “, of which \$1,000,000 shall be for the acquisition of lands on the Pisgah National Forest and not to exceed \$1,000,000 shall be for Forest Holdings”.

##### AMENDMENT NO. 3784 AS MODIFIED

(Purpose: To provide for the management of the Valles Caldera National Preserve)

On page 165, after line 18, add the following:

For an additional amount to cover necessary expenses for implementation of the Valles Caldera Preservation Act, \$990,000, to remain available until expended, which shall be available to the Secretary for the management of the Valles Caldera National Preserve: *Provided*, That any remaining balances be provided to the Valles Caldera Trust upon its assumption of the management of the Preserve: *Provided further*, That the amount available in this bill to the Office of the Solicitor within the Department of the Interior shall not exceed \$39,206,000.

##### AMENDMENT NO. 3786 AS MODIFIED

(Purpose: To direct monies from the federal subsistence account to the State of Alaska to provide effective dual management under the federal subsistence fisheries program)

On page 170, line 3 insert before the period the following: “, *Provided*, That \$750,000 shall be transferred to the State of Alaska Department of Fish and Game as a direct payment for administrative and policy coordination and an additional \$250,000 shall be transferred to United Fishermen of Alaska as a direct payment”.

##### AMENDMENT NO. 3787 AS MODIFIED

(Purpose: To authorize the accrual of interest on escrow accounts established under section 1411 of the Alaska National Interest Lands Conservation Act and relating to re-withdrawn lands)

At the end of Title I, insert the following new section:

SEC. (a) All proceeds of Oil and Gas Lease sale 991, held by the Bureau of Land Management on May 5, 1999, or subsequent lease sales in the National Petroleum Reserve—Alaska within the area subject to withdrawal for Kuukpiik Corporation's selection under section 22(j)(2) of the Alaska Native Claims Settlement Act, Public Law

92-203 (85 Stat. 688), shall be held in an escrow account administered under the terms of section 1411 of the Alaska National Interest Lands Conservation Act, Public Law 96-487 (94 Stat. 2371), without regard to whether a withdrawal for selection has been made, and paid to Arctic Slope Regional Corporation and the State of Alaska in the amount of their entitlement under law when determined, together with interest at the rate provided in the aforementioned section 1411, from the date of receipt of the proceeds by the United States to the date of payment. There is authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

(b) This section shall be effective as of May 5, 1999.

#### AMENDMENT NO. 3788

(Purpose: To provide a monies to the City of Craig, Alaska in lieu of municipal land entitlements authorized under the Alaska Statehood Act)

On page 168, line 18 insert before the period the following: “; *Provided further*, That of the amounts appropriated and available, the Secretary of Agriculture shall transfer as a direct payment to the City of Craig at least \$5,000,000 but not to exceed \$10,000,000 in lieu of any claims or municipal entitlement to land within the outside boundaries of the Tongass National Forest pursuant to section 6(a) of Public Law 85-508, the Alaska Statehood Act, as amended; *Provided further*, That should the directive in the preceding proviso conflict with any provision of existing law the preceding proviso shall prevail and take precedence”.

#### AMENDMENT NO. 3789

(Purpose: To provide for the relief of Harvey R. Redmond)

At the end of Title I insert the following new section:

“SEC. . Notwithstanding any other provision of law, the Secretary of the Interior shall convey to Harvey R. Redmond of Girdwood, Alaska, at no cost, all right, title, and interest of the United States in and to United States Survey No. 12192, Alaska, consisting of 49.96 acres located in the vicinity of T. 9N., R., 3E., Seward Meridian, Alaska.”.

#### AMENDMENT NO. 3891

On page 125, line 25, strike “\$8,209,000,” and insert the following: “\$3,249,000, of which \$1,000,000 shall be for the Lewes Maritime Historic Park”.

#### AMENDMENT NO. 3892

(Purpose: To provide funding to carry out exhibitions at and acquire interior furnishings for the Rosa Parks Library and Museum, Alabama, with an offset)

On page 125, line 25, before “of which” insert the following: “of which \$1,000,000 shall be available to carry out exhibitions at and acquire interior furnishings for the Rosa Parks Library and Museum, Alabama, and”.

#### AMENDMENT NO. 3893

(Purpose: To provide funding for acquisition of land around the Bon Secour National Wildlife Refuge, Alabama, with an offset)

On page 122, line 9, before the period, insert the following: “, of which \$1,000,000 shall be used for acquisition of land around the Bon Secour National Wildlife Refuge, Alabama, and of which not more than \$6,500,000 shall be used for acquisition management”.

#### AMENDMENT NO. 3894

(Purpose: To set aside funding for the development of a preservation plan for Cane River National Heritage Area, Louisiana)

On page 125, line 25, after “\$58,209,000,” insert “of which not less than \$500,000 shall be used to develop a preservation plan for the Cane River National Heritage Area, Louisiana, and”.

#### AMENDMENT NO. 3895

(Purpose: To set aside funding for the National Center for Preservation Technology and Training for the development of a model for heritage education through distance learning)

On page 126, line 2, before the period at the end, insert “, and of which \$250,000 shall be available to the National Center for Preservation Technology and Training for the development of a model for heritage education through distance learning”.

#### AMENDMENT NO. 3896

On page 165, at the end of line 25 before the colon: “of which not less than \$2,400,000 shall be made available for fuels reduction activities at Sequoia National Monument”.

#### AMENDMENT NO. 3897

On page 215, line 24, strike “or” and insert “and”, and on page 216, line 1, strike “at” and insert “of”.

#### AMENDMENT NO. 3898

(Purpose: To create a curriculum for the instruction of Federal Land Managers in Alaska on the contents and legislative history of the Alaska National Interest Lands Conservation Act)

At the end of Title III, add the following: “SEC. . Of the funds appropriated in Title I of this Act, the Secretary shall provide \$300,000 in the form of a grant to the Alaska Pacific University's Institute of the North for the development of a curriculum on the Alaska National Interest Lands Conservation Act (ANILCA). At a minimum this ANILCA curriculum should contain components which explain the law, its legislative history, the subsequent amendments, and the principal case studies on issues that have arisen during 20 years of implementation of the Act; examine challenges faced by conservation system managers in implementing the Act; and link ANILCA to other significant land and resource laws governing Alaska's lands and resources. In addition, within the funds provided, Alaska Pacific University's Institute of the North shall gather the oral histories of key Members of Congress in 1980 and before to demonstrate the intent of Congress in fashioning ANILCA, as well as members of President Carter's and Alaska Governor Hammond's Administrations, Congressional staff and stakeholders who were involved in the creation of the Act.”

#### AMENDMENT NO. 3899

(Purpose: To set aside additional funding for the Roosevelt Campobello International Park Commission)

On page 125, line 25, after “\$58,209,000”, insert “, of which not less than \$730,000 shall be available for use by the Roosevelt Campobello International Park Commission, and”.

#### AMENDMENT NO. 3900

At the end of Title I, add the following: “SEC. . **CLARIFICATION OF TERMS OF CONVEYANCE TO NYE COUNTY, NEVADA.**

Section 132 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (113 Stat. 1535, 1501A-165), is amended by striking paragraph (I) and inserting the following:

“(I) CONVEYANCE.—

“(A) IN GENERAL.—The Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

“(B) PRICE.—The conveyance under paragraph (I) shall be made at a price determined to be appropriate for the conveyance of land for educational facilities under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).”.

#### AMENDMENT NO. 3901

On page 164, line 23 of the bill, immediately preceding the “:” insert “and of which not less than an additional \$500,000 shall be available for law enforcement purposes on the Pisgah and Nantahala national forests.”.

#### AMENDMENT NO. 3902

On page 130, add the following after line 24: “For an additional amount for “Surveys, Investigations, and Research”, \$1,800,000, to remain available until expended, to repair or replace stream monitoring equipment and associated facilities damaged by natural disasters; *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.”

#### AMENDMENT NO. 3903

(Purpose: To provide that funding shall be available to complete an updated study of the New York-New Jersey highlands under this Forest Stewardship Act of 1990)

On page 164, line 14, before the period at the end insert “, of which not less than \$750,000 shall be available to complete an updated study of the New York-New Jersey highlands under section 1244(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (104 Stat. 3547)”.

#### AMENDMENT NO. 3904

On page 125, line 11, strike “\$1,443,795,000,” and insert the following: “\$1,443,995,000, of which \$200,000 shall be available for the conduct of a wilderness suitability study at Apostle Islands National Lakeshore, Wisconsin, and”.

#### AMENDMENT NO. 3905

(Purpose: To set aside funding for the design and consideration of educational and informational displays for the Missouri Recreation Rivers Research and Education Center, Nebraska)

On page 126, line 22, before the period at the end, insert “: *Provided further*, That not less than \$2,350,000 shall be used for construction at Ponca State Park, Nebraska, including \$1,500,000 to be used for the design and construction of educational and informational displays for the Missouri Recreation Rivers Research and Education Center, Nebraska”.

#### AMENDMENT NO. 3906

On page 159, strike lines 13 through 19 and insert the following:

“SEC. 119. None of the funds in this Act may be used to establish a new National Wildlife Refuge in the Kankakee River basin unless a plan for such a refuge is consistent with a partnership agreement between the Fish and Wildlife Service and the Army Corps of Engineers entered into on April 16, 1999 and is submitted to the House and Senate Committees on Appropriations thirty (30) days prior to the establishment of the refuge.”

## AMENDMENT NO. 3907

(Purpose: To help ensure general aviation aircraft access to Federal land and the airspace over that land)

On page 225, between lines 11 and 12, insert the following:

**SEC. 3 . BACKCOUNTRY LANDING STRIP ACCESS.**

(a) IN GENERAL.—None of the funds made available by this Act shall be used to take any action to close permanently an aircraft landing strip described in subsection (b).

(b) AIRCRAFT LANDING STRIPS.—An aircraft landing strip referred to in subsection (a) is a landing strip on Federal land administered by the Secretary of the Interior or the Secretary of Agriculture that is commonly known and has been or is consistently used for aircraft landing and departure activities.

(c) PERMANENT CLOSURE.—For the purposes of subsection (a), an aircraft landing strip shall be considered to be closed permanently if the intended duration of the closure is more than 180 days in any calendar year.

## AMENDMENT NO. 3908

On page 130, line 4, strike "\$847,596,000" and insert "\$846,596,000";

On page 165, line 25, strike "\$618,500,000" and insert "\$613,500,000";

On page 164, line 19, strike "\$1,233,824,000" and insert "\$1,231,824,000".

**LEGISLATIVE BRANCH  
APPROPRIATIONS ACT, 2001**

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 4516, an act making appropriations for the legislative branch for the fiscal year ending September 30, 2001, and for other purposes.

The text of H.R. 4516 is amended with the text of S. 2603, as follows:

On page 2 after "Title 1 Congressional Operations" insert page 2, line 6 of S. 2603 through page 13, line 14

On page 8, line 8 of H.R. 4516, strike through line 12, page 23

Insert line 15, page 13 of S. 2603 through line 11, page 23

In H.R. 4516, strike line 17, page 23 through line 6, page 45

Insert line 12 page 23 of S. 2603 through line 17, page 76.

The amendments were agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from California, Mrs. BOXER, is recognized.

## AMENDMENT NO. 3909

Mrs. BOXER. Mr. President, I will take but 2 minutes of the Senate's time, given that it is so late this evening.

I thank the managers of the legislative appropriations bill for accepting this amendment. I think the Chair would be interested in it as well, given the fact that he is the chairman of the Environment Committee on which I proudly serve.

This amendment merely says that we would limit the use of dangerous pesticide spraying here at the Capitol and on the Capitol Grounds where we have so many children and so many families visiting us every year. My amendment prohibits the routine use of highly toxic pesticides. Those are the ones that contain known or probable car-

cinogens. They are acute nerve toxins and others that contain highly toxic chemicals.

We do permit the spraying of such highly toxic chemicals in the rare case of an emergency. If there were a sudden emergency, if there were an outbreak where we needed to go to those highly toxic pesticides, under my amendment we would be allowed to do that. But for routine spraying, we would go to the mildest forms of these pesticides, the ones which are classified by the EPA as having the greatest risk to public health.

I could cite studies that show how vulnerable children are to these various compounds. Children are not little adults. They are changing; their bodies are changing. They react very badly to these toxic chemicals.

Seven to ten million people visit the Capitol and surrounding buildings every year. A million take guided tours of our historic buildings. We don't know how many of those are children, but just by looking at the crowds, quite a number are. I know in my office alone—and I am sure the Chair has thousands of youngsters visiting in his office—we studied it, and we have visits by over 33,000 school-age children every year. I think by adopting this amendment, we are setting a valuable example here at the Capitol that I hope all the State capitols will follow. We will begin to see that we can in fact control these pests in a way that is much more friendly to our children.

In closing, there is a wonderful organization in California named after a beautiful little child who died of environmental causes several years ago. Her parents founded this organization. It is called CHEC, the Children's Health Environmental Coalition. They are the ones, years ago, who got me interested in this area. What we are trying to do on every bill that we can is to set this example and say we won't be using this highly toxic form of controlling pests. Tomorrow I will have a debate with one of my colleagues on the other side of the aisle. I am trying to offer a similar amendment to the Interior bill, but we may get into a bit of a debate then.

Tonight is the night for me to say thank you to you, Mr. President, for your indulgence, and to the managers who are here late this evening handling this. I will yield back my time, and I expect we will have a voice vote and I would like to be present for that, if we could do that.

I yield back my time and ask that we have a voice vote at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3909) was agreed to, as follows:

## AMENDMENT NO. 3909

(Purpose: limit funds for pesticide use)

At the appropriate place, insert the following:

"None of the funds appropriated under this Act may be used for the preventative appli-

cation of a pesticide containing a known or probable carcinogen, a category I or II acute nerve toxin or a pesticide of the organophosphate, carbamate, or organochlorine class as determined by the U.S. Environmental Protection Agency to U.S. Capitol buildings or grounds maintained or administered by the Architect of the U.S. Capitol."

## PESTICIDES AMENDMENT

Mrs. BOXER. Mr. President, I want to thank the managers of the Legislative Branch Appropriations bill for agreeing to my amendment to limit the use of toxic pesticides on U.S. Capitol buildings and grounds. My amendment prohibits the preventive use of pesticides containing a known or probable carcinogen, a class I or II acute nerve toxin or a pesticide of the organophosphate, carbamate or organochlorine class as identified by the Environmental Protection Agency. Such pesticides could be used, however, in the case of an emergency.

Every year, approximately 7 to 10 million people visit the Capitol, many of them children. The National Academy of Sciences has found that children are particularly vulnerable to the harmful effects of toxic pesticides, that current Environmental Protection Agency pesticide standards are not protective of children and that up to 25 percent of childhood learning disabilities may be attributable to a combination of exposure to toxic chemicals like pesticides and genetic factors. My amendment will help protect young visitors to Washington from the harmful effects of toxic pesticides by limiting the use of such pesticides at the U.S. Capitol.

Mr. President, I thank the managers for their support and I hope that they will work to ensure that this amendment is preserved in conference. May I inquire of the distinguished Ranking Member of the Subcommittee if she will support the amendment in conference with the House?

Mrs. FEINSTEIN. I thank my colleague from California for her question. I assure her that I will work in conference to retain the Senator's amendment on pesticide use at the U.S. Capitol.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. ROTH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The provisions of the unanimous consent agreement are executed.

The bill (H.R. 4516), as amended, was read the third time and passed, as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 4516) entitled "An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes," do pass with the following amendments:

(1)Page 2, after line 5, insert:

## SENATE

## EXPENSE ALLOWANCES

*For expense allowances of the Vice President, \$10,000; the President Pro Tempore of the Senate, \$10,000; Majority Leader of the Senate,*